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12 Attorneys for Hewlett-Packard Enterprise &
13 Hewlett-Packard Company

14 UNITED STATES DISTRICT COURT
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16 NORTHERN DISTRICT OF CALIFORNIA
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18 SAN FRANCISCO DIVISION

19 UNITED STATES OF AMERICA,
20 Plaintiff,
21 vs.
22 SUSHOVAN HUSSAIN,
23 Defendant.

24 Case No. 3:16-cr-00462 CRB

25 STIPULATION AND [PROPOSED] ORDER
26 MODIFYING HEARING DATE AND BRIEFING
27 SCHEDULE RE MOTION TO QUASH
28 SUBPOENA ISSUED TO NON-PARTY
HEWLETT-PACKARD COMPANY

26 Judge: Hon. Charles R. Breyer

27 Date Filed: November 10, 2016

28 Trial Date: February 27, 2018

1 Non-parties Hewlett-Packard Enterprise (“HPE”) and Hewlett-Packard Company (“HP”),
 2 and Defendant Sushovan Hussain, by and through their respective counsel, hereby stipulate to the
 3 following:

4 WHEREAS, on July 19, 2017, Mr. Hussain served a Rule 17 Subpoena on HP for the
 5 production of documents or objects in this action (the “Subpoena”) and, on August 9, 2017, HPE
 6 and HP served a Motion to Quash the Subpoena and supporting documents (the “Motion to
 7 Quash”) on all parties to this action and filed such motion on August 10, 2017 (ECF Nos. 101-
 8 104);

9 WHEREAS, counsel for HP and HPE noticed the hearing on their Motion to Quash for
 10 August 30, 2017 at 1:30 p.m., which the Court vacated and re-set hearing for September 12, 2017
 11 at 2:00 pm;

12 WHEREAS, counsel for Mr. Hussain and counsel for HPE and HP have engaged in
 13 further discussions concerning the Subpoena and believe it will be more efficient to set a briefing
 14 schedule and hearing date that correlate with the Court’s presently scheduled briefing and hearing
 15 schedule for Rule 12 motions set forth in the Court’s August 8, 2017 Order (ECF No. 100); and

16 WHEREAS, counsel for Mr. Hussain and counsel for HPE and HP will continue to
 17 participate in discussions concerning the Subpoena and, if they are unable to resolve all issues,
 18 HPE and HP will file an Amended Motion to Quash addressing any issues that remain in dispute.

19 NOW, THEREFORE, Mr. Hussain and non-party HPE and HP hereby stipulate and agree
 20 to the following, subject to the Court’s approval:

21 1) Counsel for Mr. Hussain and counsel for HP and HPE will continue to meet and
 22 confer and, if they are unable to resolve all disputed issues concerning the Subpoena, HP and
 23 HPE will file an Amended Motion to Quash on or before August 25, 2017;

24 2) Mr. Hussain’s Opposition shall be filed by September 8, 2017;

25 3) HPE and HP’s Reply shall be filed by September 15, 2017; and

26 4) The September 12, 2017 hearing date for the Motion to Quash shall be vacated and
 27 rescheduled to September 20, 2017 at 11:00 am.

28 **IT IS SO STIPULATED.**

1 Dated: August 14, 2017

Respectfully submitted,

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3 By: /s/

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1 Dated: August 14, 2017

By: /s/

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19 *Attorneys for Defendant Sushovan Hussain*

20 **THE FOREGOING STIPULATION IS APPROVED AND SO ORDERED.**

21 Dated: August 16, 2017



22 HONORABLE CHARLES R. BREYER
23 United States District Judge